

REMARKS/ARGUMENTS

Favorable consideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-30 are pending in the application. Claims 1 and 12 are amended by the present amendment. Amended Claims 1 and 12 are supported by the original claims and specification.¹ No new matter is added.

In the outstanding Office Action, Claims 1-5, 7-9, 11-16, 18-20, and 22 were rejected under 35 U.S.C. §103(a) as unpatentable over Clark et al. (U.S. Patent No. 6,784,869, hereinafter “Clark”) in view of Vaughn et al. (U.S. Patent No. 5,905,497, hereinafter “Vaughn”); Claims 6, 17, 26, and 30 were rejected under 35 U.S.C. §103(a) as unpatentable over Clark in view of Vaughn and further in view of Yoshino et al. (U.S. Patent No. 5,548,304, hereinafter “Yoshino”); Claims 10 and 21 were rejected under 35 U.S.C. §103(a) as unpatentable over Clark in view of Vaughn and further in view of Oder et al. (U.S. Patent No. 5,475,594, hereinafter “Oder”); and Claims 23 and 27 were rejected under 35 U.S.C. §103(a) as unpatentable over Clark in view of Vaughn and further in view of Muller et al. (U.S. Patent No. 6,072,473, hereinafter “Muller”).

With regard to the rejection of Claim 1 as unpatentable over Clark in view of Vaughn, that rejection is respectfully traversed.

Claim 1 recites in part:

an auxiliary control device including a discrete moving mechanism configured to cause a discrete displacement of an auxiliary object marker on the display, responsive object by responsive object, so as to designate another responsive object without affecting control of the main object marker.

The outstanding Office Action conceded at page 3, lines 3-5 that Clark does not teach “displaying an auxiliary object marker on the display object without affecting control of the

¹See, e.g., the specification at page 11, lines 3-12.

main object marker.” The outstanding Office Action asserted that Figure 1, column 5, lines 60-and 61, and column 6, lines 4 and 5 of Vaughn describe a highlighting element that was interpreted as “an auxiliary object marker” as recited in Claim 1.² However, the portions of Vaughn cited in the outstanding Office Action simply describe the use of a highlighting element in a discrete movement mode. In fact, not only does Vaughn fail to describe or suggest “displaying an auxiliary object marker on the display object without affecting control of the main object marker,” Vaughn describes that the control of a pointer is affected by the display and control of the highlighting element.

Vaughn describes integrating a cursor and a pointer into a single selection indicator.³ In a first, continuous mode, a pointer moves in response to commands from a mouse 24 or trackball 20 or 30.⁴ In a second, discrete mode, a highlighting element moves in response to commands from the keyboard.⁵ During the discrete mode, the pointer is masked from the screen,⁶ and *the pointer is moved to the center of the highlighted item as the highlighting element moves from menu item to menu item.*⁷ Accordingly, Vaughn describes that the control of the pointer *is affected* by the display and control of the highlighting cursor, contrary to the invention recited in Claim 1. Thus, the highlighting element described by Vaughn is not “an auxiliary object marker” as recited in Claim 1.

Consequently, Vaughn does not teach or suggest “to designate another responsive object without affecting control of the main object marker,” as recited in Claim 1. Accordingly, Claim 1 (and Claims 2-11 and 23-26 dependent therefrom) is patentable over Clark in view of Vaughn.

²See outstanding Office Action , page 3, lines 6-9.

³See Vaughn, column 1, lines 6-9 and column 2, lines 1-8.

⁴See Vaughn, column 2, lines 61-63.

⁵See Vaughn, column 3, lines 20-30.

⁶See Vaughn, column 3, lines 35-38.

⁷See Vaughn, column 3, lines 45-59 and column 6, lines 9-12.

Claim 12 recites similar elements to Claim 1. Accordingly, Claim 12 (and Claims 13-22 and 27-30 dependent therefrom) is patentable over Clark and Vaughn for at least the reasons described above with respect to Claim 1.

With regard to the rejection of Claims 6, 17, 26, and 30 as unpatentable over Clark and Vaughn in view of Yoshino, it is noted that Claims 6, 17, 26, and 30 are dependent from Claims 1 and 12, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Yoshino does not cure any of the above-noted deficiencies of Clark and Vaughn. Accordingly, it is respectfully submitted that Claims 6, 17, 26, and 30 are patentable over Clark and Vaughn in view of Yoshino.

With regard to the rejection of Claims 10 and 21 as unpatentable over Clark and Vaughn in view of Oder, it is noted that Claims 10 and 21 are dependent from Claims 1 and 12, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Oder does not cure any of the above-noted deficiencies of Clark and Vaughn. Accordingly, it is respectfully submitted that Claims 10 and 21 are patentable over Clark and Vaughn in view of Oder.

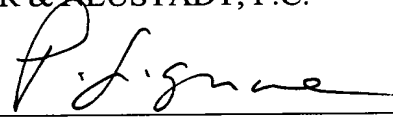
With regard to the rejection of Claims 23 and 27 as unpatentable over Clark and Vaughn in view of Muller, it is noted that Claims 23 and 27 are dependent from Claims 1 and 12, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Muller does not cure any of the above-noted deficiencies of Clark and Vaughn. Accordingly, it is respectfully submitted that Claims 23 and 27 are patentable over Clark and Vaughn in view of Muller.

Application No. 10/716,535
Reply to Office Action of August 23, 2005

Accordingly, in view of the present amendment and in light of the previous discussion, Applicants respectfully submit that the present application is in condition for allowance and respectfully request an early and favorable action to that effect.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Philippe J.C. Signore, Ph.D.
Attorney of Record
Registration No. 43,922

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Edward Tracy
Registration No. 47,998

I:\ATTY\ET\245509US\245509US-AMD11.23.05.DOC